

## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

<b>Proposal name</b>	<b>Social Media Policy</b>		
<b>Directorate</b>	Resource and Transformation		
<b>Service</b>	HR Strategy and Planning Team		
<b>Responsible Officer</b>	Rebecca Lloyd		
<b>Proposal planning start</b>	July 2019	<b>Proposal start date (due or actual date)</b>	9 September 2019

<b>1</b>	<b>What is the purpose of the proposal?</b>	<b>Yes / No</b>	<b>New / revision</b>
	Policy	Yes	New
	Procedure	Yes	New
	Guidance	No	NA
	Is this a service to customers/staff/public?	No	NA
	If yes, is it contracted or commissioned?	No	NA
	Other - give details		
<b>2</b>	<b>What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?</b>		
	<p>In response to feedback from the organisation and to bring the HR policies in line with the PROUD Programme and the Behaviour Framework, this procedure has been re-formatted and redesigned to reflect the following principles;</p> <ul style="list-style-type: none"> <li>• Alignment with Walsall Proud Programme and vision</li> <li>• Clear identification of accountabilities in line with behaviours</li> <li>• Clear, consistent and concise policy containing easy to use procedure</li> <li>• Streamlined detail with more in the supporting guidance documents</li> </ul> <p>Feedback was received from the organisation and Councillors requesting the development of a social media policy. This a brand new policy, which aligns to the Email and Internet Usage Policy, but focuses on the use of social media and its relationship with work and employment.</p> <p>The social media policy includes:</p> <ul style="list-style-type: none"> <li>• Using corporate social media accounts</li> <li>• Personal access to social media during the work day</li> <li>• Accessing social media from council equipment</li> <li>• Monitoring social media use on council equipment</li> <li>• Using social media in a personal capacity</li> <li>• Social media and the recruitment process</li> <li>• Misuse of social media</li> </ul>		



<b>3</b>	<b>Who is the proposal likely to affect?</b>		
	<b>People in Walsall</b>	<b>Yes / No</b>	<b>Detail</b>
	All		This policy applies to all council employees, including contractors, agency staff and volunteers, but excluding those in schools where the Governing Body has delegated authority.
	<b>Specific group/s</b>		
	<b>Council employees</b>	<b>Yes</b>	
<b>Other (identify)</b>			
<b>4</b>	<b>Please provide service data relating to this proposal on your customer's protected characteristics.</b>		
	<p>As of 31 March 2019 the total number of Walsall Council employees (excluding Schools) were 3141. The Council's workforce is made up of 68.51% females. 21.59% of the workforce are classified as minority ethnic. In total there were 138 employees (4.39% of the workforce) who declared they had a disability, as defined by the Equality Act 2010.</p>		
<b>5</b>	<b>Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).</b>		
	<p>Consultation was undertaken within the HR Management team and HR Operations, and wider consultation with Assistants Directors and Heads of Service across the Council between 05/07/19 to 26/07/19.</p> <p>Feedback from consultation resulted in some minor amendments to clarify wording and aid understanding.</p> <p>The majority of management comments related to the use of corporate social media accounts. Concern was raised by managers over the frequency with which authorisation is required and whether this was every time they posted, as they felt this would be prohibitive and not allow for spontaneous / timely response. Concern was also raised over advertising and promoting companies via social media as certain areas specifically promote businesses which win awards, support service users etc or promote a council traded services. Wording in the policy has been revised based on managers' comments.</p> <p>Trade Unions and Professional Associations were consulted at the same time as senior managers. The trade unions had concerns over monitoring employees and felt specific reasons should be given. Reasons have been inserted based on the wording from the existing Email and Internet Usage Procedure. The trade unions also requested that any monitoring only be undertaken by ICT, rather than saying normally by ICT, however, there may be occasions where it is appropriate for someone else to undertake the monitoring, such as by Audit.</p> <p>The trade unions requested that where social media searches were undertaken as part of the recruitment process that the prospective employee be informed prior to the search. This has been included in the policy.</p> <p>The leave and time off policy will be submitted to CMT on 22/08/19, followed by Personnel Committee for approval on 09/09/19.</p>		

**Consultation Activity**

Complete a copy of this table for each consultation activity you have undertaken.

<b>Type of engagement/consultation</b>	Consultation within Human Resources	<b>Date</b>	26/07/19
<b>Who attended/participated?</b>	HR Managers, HR Business Partners and HR Advisers		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
Feedback was related to minor wording changes for clarification and to aid understanding.			

<b>Type of engagement/consultation</b>	Consultation with wider council	<b>Date</b>	26/07/19
<b>Who attended/participated?</b>	Senior Managers (tier 3 and 4)		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
Feedback was related to minor wording changes for clarification and to aid understanding.			
The majority of management comments related to the use of corporate social media accounts. Concern was raised by managers over the frequency with which authorisation is required and whether this was every time they posted, as they felt this would be prohibitive and not allow for spontaneous / timely response. Concern was also raised over advertising and promoting companies via social media as certain areas specifically promote businesses which win awards, support service users etc or promote a council traded services.			

<b>Type of engagement/consultation</b>	Consultation with trade unions – meeting (19/06/19) and via email	<b>Date</b>	26/07/19
<b>Who attended/participated?</b>	Trade unions representatives		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
The trade unions had concerns over monitoring employees and felt specific reasons should be given. Reasons have been inserted based on the wording from the existing Email and Internet Usage Procedure The trade unions also requested that any monitoring only be undertaken by ICT, rather than saying normally by ICT, however, there may be occasions where it is appropriate for someone else to			

undertake the monitoring, such as by Audit.

**6 Concise overview of all evidence, engagement and consultation**

Formal consultation with senior managers across the council and trade unions raised no concerns in relation to protected characteristics and the proposed changes to the procedure.

**7 How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.**

<b>Characteristic</b>	<b>Affect</b>	<b>Reason</b>	<b>Action needed Yes / No</b>
<b>Age</b>	Neutral	The policy applies to all employees – no impact foreseen.	<b>No</b>
<b>Disability</b>	Negative	Potential impact on employees who require reasonable adjustments for communication who do not understand the policy e.g. employees with learning disabilities.	<b>Yes</b>
<b>Gender reassignment</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>Marriage and civil partnership</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>Pregnancy and maternity</b>	Neutral	Potential impact on employees who are pregnant or on maternity leave	<b>No</b>
<b>Race</b>	Negative	Potential impact on employees where English is not their first language as they may not understand the policy.	<b>Yes</b>
<b>Religion or belief</b>	Neutral	The policy applies to all	<b>No</b>

			employees – no impact foreseen	
	<b>Sex</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
	<b>Sexual orientation</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>8</b>	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.</b>			(Delete one) <b>No</b>
<b>9</b>	<b>Which justifiable action does the evidence, engagement and consultation feedback suggest you take?</b>			
	A	No major change required		
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

**Action and monitoring plan**

Action Date	Action	Responsibility	Outcome Date	Outcome
Day of launch	The policy to be explained/made available to employees	Employee’s line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	
Day Of launch	The policy to be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the council’s Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees to be made available on request.	Liaison as required with the appropriate council procured services; audio formats from Walsall Society for the Blind and Easy Read from the Community, Equality and Cohesion team.	As and when requested	

Update to EqIA	
Date	Detail

**Contact us**

Community, Equality and Cohesion  
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Email [equality@walsall.gov.uk](mailto:equality@walsall.gov.uk)

Inside Walsall: [http://int.walsall.gov.uk/Service information/Equality and diversity](http://int.walsall.gov.uk/Service%20information/Equality%20and%20diversity)

## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

<b>Proposal name</b>	<b>Probation Policy</b>		
<b>Directorate</b>	Resources and Transformation		
<b>Service</b>	Human Resources		
<b>Responsible Officer</b>	Kat Lambert		
<b>Proposal planning start</b>	July 2019	<b>Proposal start date (due or actual date)</b>	September 2019

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	new
	Procedure	No	n/a
	Guidance	No	n/a
	Is this a service to customers/staff/public?	No	n/a
	If yes, is it contracted or commissioned?	No	n/a
	Other - give details	n/a	n/a
<b>2</b>	<b>What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?</b>		
	<p>It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council's vision, values and behaviours. As part of the review this policy has been formatted and designed to reflect the following principles;</p> <ul style="list-style-type: none"> <li>• Alignment with Walsall Proud Programme and vision;</li> <li>• Clear identification of accountabilities in line with behaviours;</li> <li>• Clear, consistent and concise policy containing easily identifiable principles and procedure;</li> <li>• Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.</li> </ul> <p>The amendments to the probationary process introduced by the new policy are as follows:</p> <ul style="list-style-type: none"> <li>• All new entrants to the council, even those who have already completed probation with another Modification Order body, will be subject to the probationary process.</li> <li>• The initial probationary meeting between the manager and the new employee will take place within the first week of employment, to ensure purposeful aim setting;</li> <li>• At least four subsequent review meetings will be scheduled in at monthly intervals at the start of the process, in order to facilitate continuous feedback;</li> <li>• To maintain open and effective communication, the onus will be on managers to lead purposeful, directive conversations to cover: <ul style="list-style-type: none"> <li>o explaining and reviewing objectives;</li> </ul> </li> </ul>		





	<ul style="list-style-type: none"> <li>o identifying any training needs or reasonable adjustments required;</li> <li>o providing clarity with regards to employee progress; and</li> <li>o provide support throughout the probation period.</li> </ul>												
<b>3</b>	<b>Who is the proposal likely to affect?</b>												
	<table border="1"> <thead> <tr> <th>People in Walsall</th> <th>Yes / No</th> <th>Detail</th> </tr> </thead> <tbody> <tr> <td>All</td> <td>N</td> <td rowspan="4">The policy applies to all council employees with the exception of school-based employees/ workers where the governing body has delegated authority and for whom separate arrangements apply.</td> </tr> <tr> <td>Specific group/s</td> <td>N</td> </tr> <tr> <td>Council employees</td> <td>Y</td> </tr> <tr> <td>Other (identify)</td> <td>n/a</td> </tr> </tbody> </table>	People in Walsall	Yes / No	Detail	All	N	The policy applies to all council employees with the exception of school-based employees/ workers where the governing body has delegated authority and for whom separate arrangements apply.	Specific group/s	N	Council employees	Y	Other (identify)	n/a
People in Walsall	Yes / No	Detail											
All	N	The policy applies to all council employees with the exception of school-based employees/ workers where the governing body has delegated authority and for whom separate arrangements apply.											
Specific group/s	N												
Council employees	Y												
Other (identify)	n/a												
<b>4</b>	<b>Please provide service data relating to this proposal on your customer's protected characteristics.</b>												
	As of 31 March 2019 the total number of Walsall Council employees (excluding Schools) were 3141. The Council's workforce is made up of 68.51% females. 21.59% of the workforce are classified as minority ethnic. In total there were 138 employees (4.39% of the workforce) who declared they had a disability, as defined by the Equality Act 2010.												
<b>5</b>	<b>Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).</b>												
	<p>The policy has been consulted upon with senior managers and trade unions across the Council between 18 January 2019 and 7 February 2019.</p> <p>Feedback from consultation resulted in the amendment to the policy scope, which now includes individuals who have already completed probation with another council / Modification Order body.</p> <p>Feedback also resulted minor wording amendments to aid clarification and understanding</p> <p>The trade unions raised no issues or concerns.</p> <p>The Sickness Absence Policy will be submitted to CMT on 22/08/19, followed by Personnel Committee for approval on 09/09/19.</p>												

**Consultation Activity**

Complete a copy of this table for each consultation activity you have undertaken.

<b>Type of engagement/consultation</b>	Consultation within Human Resources	<b>Date</b>	Nov 2019
<b>Who attended/participated?</b>	HR Managers, HR Business Partners and HR Advisers		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
Feedback was related to minor wording changes for clarification and to aid understanding.			

<b>Type of engagement/consultation</b>	Consultation with wider council	<b>Date</b>	18/01/19
<b>Who attended/participated?</b>	Senior Managers (tier 3 and 4) Trades Unions		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
The policy clearly aligns to the PROUD Programme.			
Feedback from consultation resulted in the amendment to the policy scope, which now includes individuals who have already completed probation with another council / Modification Order body.			
The trade unions raised no issues or concerns.			

**6 Concise overview of all evidence, engagement and consultation**

Formal consultation with senior managers across the council and trade unions raised no concerns in relation to protected characteristics and the proposed changes to the procedure.

**7 How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.**

<b>Characteristic</b>	<b>Affect</b>	<b>Reason</b>	<b>Action needed Yes / No</b>
<b>Age</b>	Neutral	The policy applies to all employees – no impact foreseen	No
<b>Disability</b>	Neutral	The policy applies to	No

			all employees. Be mindful of reasonable adjustments, to assist employees with disabilities engaging with the process and supporting meetings	
	<b>Gender reassignment</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Marriage and civil partnership</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Pregnancy and maternity</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Race</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Religion or belief</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Sex</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Sexual orientation</b>	Neutral	The policy applies to all employees – no impact foreseen	No
	<b>Other (give detail)</b>	n/a		
	<b>Further information</b>	n/a		
<b>8</b>	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.</b>			<b>No</b>
<b>9</b>	<b>Which justifiable action does the evidence, engagement and consultation feedback suggest you take?</b>			
	A	<b>No major change required</b>		
	B	Adjustments needed to remove barriers or to better promote equality		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

<b>Action and monitoring plan</b>				
<b>Action Date</b>	<b>Action</b>	<b>Responsibility</b>	<b>Outcome Date</b>	<b>Outcome</b>

Day of launch	The policy to be explained/made available to employees	Employee's line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	
Day Of launch	The policy to be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the council's Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees to be made available on request.	Liaison as required with the appropriate council procured services; audio formats from Walsall Society for the Blind and Easy Read from the Community, Equality and Cohesion team.	As and when requested	

Update to EqIA	
Date	Detail

### Contact us

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## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

<b>Proposal name</b>	<b>Leave and Time Off Policy</b>		
<b>Directorate</b>	Resource and Transformation		
<b>Service</b>	HR Strategy and Planning Team		
<b>Responsible Officer</b>	Rebecca Lloyd		
<b>Proposal planning start</b>	July 2019	<b>Proposal start date (due or actual date)</b>	9 September 2019

<b>1</b>	<b>What is the purpose of the proposal?</b>	<b>Yes / No</b>	<b>New / revision</b>
	Policy	<b>Yes</b>	<b>Revision</b>
	Procedure	<b>Yes</b>	<b>Revision</b>
	Guidance	<b>No</b>	<b>NA</b>
	Is this a service to customers/staff/public?	<b>No</b>	<b>NA</b>
	If yes, is it contracted or commissioned?	<b>No</b>	NA
	Other - give details		
<b>2</b>	<b>What is the business case for this proposal? Please provide the main purpose of the service, intended outcomes and reasons for change?</b>		
	<p>In response to feedback from the organisation and to bring the HR policies in line with the PROUD Programme and the Behaviour Framework, this procedure has been re-formatted and redesigned to reflect the following principles;</p> <ul style="list-style-type: none"> <li>• Alignment with Walsall Proud Programme and vision</li> <li>• Clear identification of accountabilities in line with behaviours</li> <li>• Clear, consistent and concise policy containing easy to use procedure</li> <li>• Streamlined detail with more in the supporting guidance documents</li> </ul> <p>The Special Leave guidelines (last reviewed in 2014) has been updated, reformatted and renamed Leave and Time Off Policy to make it simple and clear in terms of its purpose. As such the policy now includes:</p> <ul style="list-style-type: none"> <li>• a brief introduction to annual leave (Appendix 1 section 5.1) - the detailed information remains in the annual leave and bank holiday entitlement guidance, which is signposted within the annual leave section.</li> <li>• employee volunteering leave (Appendix 1 section 5.10) – currently a separate policy. The entitlement and process remains the same.</li> <li>• medical appointments (Appendix 1 section 5.14) – previously information was in the Attendance Procedure.</li> </ul>		



The main new addition to the policy parental bereavement leave (Appendix 1 section 5.3) which is in preparation for the implementation of the Parental Bereavement Leave and Pay Act expected to come into force April 2020.

Aside from the additions mentioned above the procedures and entitlements remain fundamentally unchanged, with the exception long term time off to care for dependents. Under the current scheme this included under both carer's leave and career break but with different entitlements (up to 6 months and 12 months respectively). This has been retained under the carer's leave section only (Appendix 1 section 5.8), however the leave entitlement has been increased to 12 months to mirror what was available under career break. Career break (Appendix 1 section 5.9) now focuses on time off to study, travel or undertake voluntary work etc.

**3 Who is the proposal likely to affect?**

People in Walsall	Yes / No	Detail
All		This policy applies to all council employees, excluding those in schools where the Governing Body has delegated authority.
Specific group/s		
Council employees	Yes	
Other (identify)		

**4 Please provide service data relating to this proposal on your customer's protected characteristics.**

As of 31 March 2019 the total number of Walsall Council employees (excluding Schools) were 3141. The Council's workforce is made up of 68.51% females. 21.59% of the workforce are classified as minority ethnic. In total there were 138 employees (4.39% of the workforce) who declared they had a disability, as defined by the Equality Act 2010.

**5 Please provide details of all engagement and consultation undertaken for this proposal. (Please use a separate box for each engagement/consultation).**

Consultation was undertaken within the HR Management team and HR Operations, and wider consultation with Assistants Directors and Heads of Service across the Council between 26/07/19 to 09/08/19.

Feedback from consultation resulted in some minor amendments to clarify wording and aid understanding.

Trade Unions and Professional Associations were consulted at the same time as senior managers. A concern raised by the trade unions relating to time off for medical appointments, where it was felt that employees who do not have the ability to work flexi time were treated unfairly by having to use annual leave or unpaid leave. This is no change to the current procedure where employees are not paid to attend doctors appointments and have to use their own time.

The leave and time off policy will be submitted to CMT on 22/08/19, followed by Personnel Committee for approval on 09/09/19.

**Consultation Activity**

Complete a copy of this table for each consultation activity you have undertaken.

<b>Type of engagement/consultation</b>	Consultation within Human Resources	<b>Date</b>	09/08/19
<b>Who attended/participated?</b>	HR Managers, HR Business Partners and HR Advisers		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
<p>Feedback was related to minor wording changes for clarification and to aid understanding.</p> <p>It was commented that volunteer leave should be extended to activities outside of Walsall as many employees live outside of the borough. This was amended following consultation to allow employees to undertake any volunteering as long as it aligns to the council vision and purpose (i.e. supporting communities and businesses to support vulnerable adults and children) which may be outside on the borough.</p>			

<b>Type of engagement/consultation</b>	Consultation with wider council	<b>Date</b>	09/08/19
<b>Who attended/participated?</b>	Senior Managers (tier 3 and 4)		
<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
<b>Feedback</b>			
<p>Feedback was related to minor wording changes for clarification and to aid understanding.</p> <p>A senior manager commented that the council seemed uncaring by not agreeing paid time off for doctors' appointments. No other managers raised concerns over the current procedure.</p> <p>Questions were raised on who the parental bereavement leave applies to, such as non-married couples, same sex couples, non-biological parents etc). The legislation does not distinguish between these and only states parents, primary carers and those who have responsibility for the child's care in the absence parents. Therefore includes these arrangements. Surrogacy arrangements were also queried (subject to any changes on the regulations) the provisions are extended to those parents intending to be parents under surrogacy arrangements as they would meet the definition above and also the other family procedures mirror adoption for these arrangements.</p>			

<b>Type of engagement/consultation</b>	Consultation with trade unions – meeting (19/06/19) and via email	<b>Date</b>	09/08/19
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	<b>Who attended/participated?</b>	Trade unions representatives		
	<b>Protected characteristics of participants</b>	A range of protected characteristics including, gender, race, age, disability.		
	<b>Feedback</b>	It was felt that employees who do not have the ability to work flexi time were treated unfairly by having to use annual leave or unpaid leave to attend doctor appointments. This is no change to the current procedure where employees are not paid to attend these appointments and have to use their own time.		
<b>6</b>	<b>Concise overview of all evidence, engagement and consultation</b>			
	Formal consultation with senior managers across the council and trade unions raised no concerns in relation to protected characteristics and the proposed changes to the policy.			
<b>7</b>	<b>How may the proposal affect each protected characteristic or group? The effect may be positive, negative, neutral or not known. Give reasons and if action is needed.</b>			
	<b>Characteristic</b>	<b>Affect</b>	<b>Reason</b>	<b>Action needed Yes / No</b>
	<b>Age</b>	Neutral	The policy applies to all employees – no impact foreseen.	<b>No</b>
	<b>Disability</b>	Negative	Potential impact on employees who require reasonable adjustments for communication who do not understand the policy e.g. employees with learning disabilities.	<b>Yes</b>
	<b>Gender reassignment</b>	Neutral	The policy applies to all employees – no impact	<b>No</b>



		foreseen	
<b>Marriage and civil partnership</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>Pregnancy and maternity</b>	Positive	Potential impact on employees who are pregnant or on maternity leave  Parental bereavement leave entitles additional leave for still birth	<b>No</b>
<b>Race</b>	Negative	Potential impact on employees where English is not their first language as they may not understand the policy.	<b>Yes</b>
<b>Religion or belief</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>Sex</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>Sexual orientation</b>	Neutral	The policy applies to all employees – no impact foreseen	<b>No</b>
<b>8</b>	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details.</b>		(Delete one) <b>No</b>
<b>9</b>	<b>Which justifiable action does the evidence, engagement and consultation feedback suggest you take?</b>		
A	No major change required		
<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>		
C	Continue despite possible adverse impact		
D	Stop and rethink your proposal		

**Action and monitoring plan**

Action Date	Action	Responsibility	Outcome Date	Outcome
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Day Of launch	The policy to be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the council’s Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees to be made available on request.	Liaison as required with the appropriate council procured services; audio formats from Walsall Society for the Blind and Easy Read from the Community, Equality and Cohesion team.	As and when requested	

Update to EqIA	
Date	Detail

**Contact us**

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Resources and Transformation

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## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Family Friendly Procedure		
Directorate	Resources and Transformation		
Service	HR Strategy and Planning Team		
Responsible Officer	Nicola Rickhuss		
EqIA Author	Rebecca Lloyd		
Date proposal started	February 2016	Proposal commencement date (due or actual)	October 2016 - Review September 2019

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	No	
	Procedure	Yes	Revision
	Internal service	Yes	N/A
	External service	No	N/A
	Other - give details	N/A	N/A

2	What are the intended outcomes, reasons for change, who will it affect? (The business case)
	<p>The Family Friendly Procedure sets out Council approach to the management of a number of internal procedures which are the interpretation of legislative requirements relating to maternity, paternity and shared parental leave. This policy is a key element of our employment practices and it is vital that it meets the needs of the employees and managers who use it.</p> <p>This procedure is in part a revision of the existing Family Friendly Procedure implemented April 2015. The Procedure now incorporates Adoption leave and Pay, and Maternity Support leave, which are currently separate documents. This now brings together all of the options regarding the operation of leave around the birth or adoption of a child in one procedure. This revised Family Friendly Procedure also introduces paid time off for foster carers.</p> <p>Legislative changes to adoption provision have now been included in the Family Friendly Procedure, including:</p> <ul style="list-style-type: none"> <li>Adoption leave as a day one right (rather than having to have 26 weeks service);</li> </ul>

- Statutory Adoption Pay mirroring Statutory Maternity Pay;
- New groups being eligible for adoption leave and pay (i.e. 'fostering for adoption' situations and surrogate 'parental order' parents);
- Right to paid time off to attend up to 5 adoption appointments.

Further amendments have been made to the adoption procedure whilst transferring it into Family Friendly Procedure:

- Amendment to the Occupational Adoption Pay scheme to mirror the Occupational Maternity Pay scheme (given that Statutory Adoption Pay has changed).
- Removal of the scope allowing for paid time off in relation to the adoption of step children, as statutory adoption regulations exclude adoptions of step children.
- Removal of the phased return to work following adoption leave as this was previously removed for maternity leave. Phased return can be done by the provisions of the keeping in touch days and annual leave.

Other minor amendments have also been made to the Family Friendly procedure for clarification following queries received over the past 12 months and the integration of procedures into one document. These include:

- Amendment to the notice required if employees wish to return to work before the end of the 52 week entitlement for maternity and adoption leave, to 8 weeks' notice in line with statutory rights;
- Changes to antenatal provision for intended parents in surrogacy cases, clarifying where the intended parent is the biological father;
- Clarification on SPLIT and KIT days under Shared Parental Leave;
- Clarification of unpaid parental leave up to the child's 18<sup>th</sup> birthday.
- Rewording of the paternity leave section to give clarification on when time off can be taken.
- Maternity Support Leave, which is a separate document on the HR intranet has also been inserted into the procedure.

With regards to foster care leave; Foster Carers currently have no statutory right to time off work to care for foster children, as the parental responsibility is considered to be with the local authority. However, many organisations and local authorities are adopting a fostering friendly approach. It shows the council as a modern and caring employer, which looks to attract people to work from across our communities, and supports the corporate parenting responsibility given to the local authority.

The foster care leave section includes up to 5 days paid leave for attending training and assessments before being approved as a foster carer. This mirrors the adoption procedure where 5 days paid leave is given to attend the adoption preparation course. Following the initial assessment, once they are registered as foster carer with a placement the procedure allows up to 5 days paid leave per year. From benchmarking this is within the range offered by other local authorities (between 3 and 10 days) and is the most common allowance from those benchmarked.

### **3 Summarise your evidence, engagement and consultation.**

A first draft of the revised Family Friendly Procedure was consulted on with the wider HR management team between 23 March and 8 April 2016. The draft was

approved by HRSMT on 3 June following discussions with the HR Portfolio Holder (Councillor Nawaz) on the inclusion of the Foster Care Leave.

A draft was then sent out to consultation with the ADs/Head of Service and the Trade Unions/Professional Associations between 8th June and 27 June 2016.

The trade unions did not comment on the revisions and were not opposed to the procedure including Adoption Pay and Leave, Maternity Support Leave and Foster Care Leave.

A following consultation changes were made to the draft procedure and it went back to HRSMT for approval on 17 August.

The Family Friendly Procedure will be submitted to CMT 8 September 2016 and will taken to the next available Personnel Committee (14 September 2016) for sign off as this relates to pay.

As of 31 March 2016 the total number of Walsall Council employees (excluding Schools) was 3635. In total there were 160 (4.4%) employees who declared they had a disability, as defined by the Equality Act 2010, some of these may require communication in a different format.

<b>4 How may the proposal affect each protected characteristic or group?</b>	
<b>Characteristic</b>	<b>Affect</b>
<b>Age</b>	No impact foreseen.
<b>Disability</b>	Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the procedure e.g. employees with learning disabilities.
<b>Gender reassignment</b>	No impact foreseen.
<b>Marriage and civil partnership</b>	No impact foreseen. The procedure allows civil for partnerships and situations where no legal marriage has taken place
<b>Pregnancy and maternity</b>	Potential impact for people who are on maternity, adoption or paternity leave and are not updated about the procedure. However, the procedure will only apply to those looking to access the provisions anew after the procedure is implemented. Any statutory provisions due to an employee already on maternity, paternity or adoption leave will have been given.
<b>Race</b>	Potential impact on those employees whose first language is not English as they may not understand the procedure
<b>Religion or belief</b>	No impact foreseen.
<b>Sex</b>	No impact foreseen. The procedure allows for more flexible taking of leave related to adoption, fostering

		and maternity support regardless of gender.
	<b>Sexual orientation</b>	No impact foreseen.
	<b>Other (give detail)</b>	N/A
	<b>Further information</b>	N/A

<b>5</b>	<b>Does your proposal link with other proposals to have a cumulative affect on particular equality groups? If yes, give details</b>	(Delete one) <b>No</b>
	N/A	

<b>6</b>	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>	
	A	No major change required
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>
	C	Continue despite possible adverse impact
	D	Stop and rethink your proposal

### Action and monitoring plan

Date	Responsibility	Action
Day of launch	Directorate Support Team	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be made available on request.
Day of launch	Directorate Support Team	The policy will be made available in other languages on request for employees whose first language is not English.
12 months after launch date	Strategy and Planning Team	There is a statutory requirement to review and publish this policy annually.

Update to EqIA	
Date	Detail
Reviewed August 2019	
The following have been amended:	

1. It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council's vision, values and behaviours. As part of the review the policy has been re-formatted and redesigned to reflect the following principles;
  - Alignment with Walsall Proud Programme and vision;
  - Clear identification of accountabilities in line with behaviours;
  - Clear, consistent and concise policy containing easily identifiable principles and procedure;
  - Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.
2. Clarification of occupational maternity / adoption pay entitlement based on service with an easy to read table in appendix two of the policy.
3. Removal of reference to childcare tax savings, due to changes in salary sacrifice legislation closing the childcare voucher scheme to new applicants.
4. Reference included to the new entitlement to parental bereavement leave (section 5.5.16), subject to the implementation of the Parental Bereavement (Pay and Leave) Act anticipated in April 2020. The procedure for parental bereavement leave is in the Leave and Time Off policy with all other forms of compassionate leave.
5. Removal of the section on time off for IVF treatment, as this is already in the Leave and Time Off policy where time off for all other medical appointments can be found.





## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Gifts and Hospitality Policy		
Directorate	Resources		
Service	HR Strategy and Planning		
Responsible Officer	Nicola Rickhuss		
EqIA Author	Rachel Davis updated August 2019 Tracey Edwards		
Date proposal started	01/09/13	Proposal commencement date (due or actual)	13/01/14

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	Yes	New
	Procedure	No	N/A
	Internal service	Yes	N/A
	External service	No	N/A
	Other - give details	N/A	N/A

2	What are the intended outcomes, reasons for change, who will it affect? (The business case)
	<p>The purpose of this policy is to provide guidance to all employees of Walsall Council when considering whether to accept gifts or hospitality from individuals or organisations.</p> <p>This policy is a key element of our employment practices and it is vital that it meets the needs of the employees and managers who use it. To provide a policy which is free from any form of discrimination is a key aim of Human Resources (HR).</p> <p>This is a new policy which has arisen from recommendations by Audit and is in line with current legislation and good practice. The policy will be applicable to all employees and managers.</p>

3	Summarise your evidence, engagement and consultation.
	<p>Draft version 1 was completed by Robert Perks, Interim HR Manager – Specialist Services.</p> <p>Draft version 2 was submitted and approved by SMT on 11/09/13.</p>

Draft version 3 was circulated to Assistant Directors, Heads of Service, Audit and Trade Union representatives for comments on 11/09/13 with a deadline set for 26/09/13. None of the comments had any impact on equality or protected characteristics.

Draft version 4 was submitted to ERF on 03/09/13 and scheduled for CMT 14/11/13. Notification of the revised procedure was published on core brief (via a link on weekly bulletin) on 10/01/14.

As of 30 March 2013 the total number of Walsall Council employees was 8529, made up of 4161 (48.8%) from schools and 4454 from non-schools (52.1%). In total there were 266 (3.1%) employees who declared they had a disability, as defined by the Equality Act 2010. In schools there were only 27 (0.7%), whereas in non-schools there were 239 (5.4%). There were 31 disabled employees who declared on HR Direct they require reasonable adjustments for communication.

<b>4 How may the proposal affect each protected characteristic or group?</b>	
<b>Characteristic</b>	<b>Affect</b>
<b>Age</b>	No impact foreseen.
<b>Disability</b>	Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.
<b>Gender reassignment</b>	No impact foreseen.
<b>Marriage and civil partnership</b>	No impact foreseen.
<b>Pregnancy and maternity</b>	Potential impact for people who are on maternity or paternity leave and are not updated about the policy.
<b>Race</b>	Potential impact on those employees whose first language is not English as they may not understand the policy.
<b>Religion or belief</b>	No impact foreseen.
<b>Sex</b>	No impact foreseen.
<b>Sexual orientation</b>	No impact foreseen.
<b>Other (give detail)</b>	N/A
<b>Further</b>	N/A

information	
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<b>5</b>	<b>Does your proposal link with other proposals to have a cumulative affect on particular equality groups? If yes, give details</b>	(Delete one)  <b>No</b>
	N/A	

<b>6</b>	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>	
	A	No major change required
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>
	C	Continue despite possible adverse impact
	D	Stop and rethink your proposal

### Action and monitoring plan

Date	Responsibility	Action
Day of launch	Directorate Support Team	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be made available on request.
Day of launch	Directorate Support Team	The policy will be made available in other languages on request for employees whose first language is not English.
36 months after launch date	Strategy and Planning Team	Review the policy for any unforeseen impact.

<b>Update to EqIA</b>
<b>Detail</b>
<p>August 2019</p> <p>The following have been amended:</p> <ol style="list-style-type: none"> <li>It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council's vision, values and behaviours. As part of the review the five policies have been re-formatted and redesigned to reflect the following principles; <ul style="list-style-type: none"> <li>Alignment with Walsall Proud Programme and vision;</li> <li>Clear identification of accountabilities in line with behaviours;</li> <li>Clear, consistent and concise policy containing easily identifiable principles and procedure;</li> </ul> </li> </ol>

- Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.



## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Code of Conduct		
Directorate	Resources		
Service	HR Strategy and Planning		
Responsible Officer	Nicola Rickhuss		
EqIA Author	Rachel Davis, updated by Kat Lambert August 2019		
Date proposal started	October 2013	Proposal commencement date (actual)	1 March 2014

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	No	N/A
	Procedure	No	N/A
	Internal service	Yes	Revision
	External service	No	N/A
	Other - give details	Standards	Revision

2	What are the intended outcomes, reasons for change, who will it affect? (The business case)
	<p>March 2014</p> <p>The purpose of the Code of Conduct is to set the standards for Council employees to demonstrate honesty and integrity and ensure that employees act in the best possible interests of the public. It sets out clear responsibilities for all employees and is linked to a number of policies and procedures.</p> <p>The Code of Conduct is a key element of our employment practices and it is vital that it meets the needs of employees, managers and the general public. To provide a Code of Conduct which is free from any form of discrimination is a key aim of Human Resources (HR).</p> <p>The Code of Conduct was last reviewed in 2008 and there have been a number of legislative changes and new policies and procedures since this date.</p>

### 3 Summarise your evidence, engagement and consultation.

Specialist areas within the council were consulted at this draft stage to ensure that standards and details within the code of conduct were in line with current protocols. Managers who were consulted at this stage included Corporate Policy and Performance, Legal Services, ICT, Communications and press office, Information Risk and Governance and Safeguarding. Draft version 1 was also sent to the Directorate Support Team (Specialist Services) for comments on 02/10/13 with a deadline date of 09/10/13.

The draft was circulated for a three week consultation with Assistant Directors and Trade Unions on 15/11/13 with a deadline set for 06/12/13. It was also forwarded to the Education HR Team, Directorate Support Team, HR Team Managers and Steve McGowan for information and further comments.

A large number of comments were received during the consultation period and only a small number of these were linked to equality. It was suggested that the definition in Appendix 1 relating to the Equality Act 2010 and the Human Rights Act 1998 was expanded, however, these were rejected because Appendix 1 had since been removed from the code of conduct and a short paragraph entitled 'Equalities' inserted in the main document which refers employees to the Equality and Diversity Protocol for further information.

A verbal update was given at ERF by Steve McGowan, Head of Human Resources on 07/01/14.

It was also suggested that 'caste' be included in the protected characteristics for Equality. In April 2013, the Government agreed to make 'caste' an aspect of 'race' under the Equality Act 2010 but at the time of reviewing the Code of Conduct, the change had not been implemented and so this will be kept under review.

Due to tight deadlines and unions providing support to employees who had been placed at risk due to the budget, the unions were invited on 06/01/14 to provide any further comments. A deadline was set for 11/01/14 in order for the process to continue and stay on schedule for submission to CMT and Appointments Board.

Further changes were made and the draft was submitted and approved to CMT on 16/01/14. The Code of Conduct was approved by Standards Committee on 27/01/14.

Notification of the launch was publicised on all payslips for February 2014 and a standard letter notifying employees of the revised code and launch date was circulated from Paul Sheehan on 28 February 2014. Messages were displayed on the TV screen in HR reception and details were published in Core Brief on 6 March 2014.

As of 30 March 2013 the total number of Walsall Council employees was 8529, made up of 4161 (48.8%) from schools and 4454 from non-schools (52.1%).

	In total there were 266 (3.1%) employees who declared they had a disability, as defined by the Equality Act 2010. In schools there were only 27 (0.7%), whereas in non-schools there were 239 (5.4%). There were 31 disabled employees who declared on HR Direct they require reasonable adjustments for communication.

<b>4</b>	<b>How may the proposal affect each protected characteristic or group?</b>	
	<b>Characteristic</b>	<b>Affect</b>
	<b>Age</b>	No impact foreseen.
	<b>Disability</b>	Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the code of conduct e.g. employees with learning disabilities.
	<b>Gender reassignment</b>	No impact foreseen.
	<b>Marriage and civil partnership</b>	No impact foreseen.
	<b>Pregnancy and maternity</b>	Potential impact for people who are on maternity or paternity leave and are not updated about the revised code of conduct.
	<b>Race</b>	Potential impact on those employees whose first language is not English as they may not understand the code of conduct.
	<b>Religion or belief</b>	No impact foreseen.
	<b>Sex</b>	No impact foreseen.
	<b>Sexual orientation</b>	No impact foreseen.
	<b>Other (give detail)</b>	N/A
	<b>Further information</b>	N/A

<b>5</b>	<b>Does your proposal link with other proposals to have a cumulative affect on particular equality groups? If yes, give details</b>	(Delete one)  <b>No</b>
	N/A	

<b>6</b>	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>	
	A	No major change required
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>
	C	Continue despite possible adverse impact
	D	Stop and rethink your proposal

### Action and monitoring plan

Date	Responsibility	Action
Day of launch	Directorate Support Team	Alternative formats (including audio and Easy Read) for disabled employees of the revised code of conduct are available on request.
Day of launch	Directorate Support Team	The code of conduct will be made available in other languages on request for employees whose first language is not English.
Day of launch	Directorate Support Team	Information and update will be circulated to all employees on maternity/paternity leave and long term absence.
12 months after launch date	Directorate Support Team	Review the code of conduct for any unforeseen impact.

### Update to EqIA

Date	Detail
August 2019	<p>The following have been amended:</p> <ol style="list-style-type: none"> <li>It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council's vision, values and behaviours. As part of the review the five policies have been re-formatted and redesigned to reflect the following principles; <ul style="list-style-type: none"> <li>Alignment with Walsall Proud Programme and vision;</li> <li>Clear identification of accountabilities in line with behaviours;</li> <li>Clear, consistent and concise policy containing easily identifiable principles and procedure;</li> <li>Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.</li> </ul> </li> <li>Minor wording amendments or clarification points have been inserted into the policies. There has been no fundamental change to their content.</li> </ol>



3. Further clarification in light of the introduction of the General Data Protection Regulations (GDPR) legislation; and  
Amendments regarding the introduction of the social media policy, and its implications.

## Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Market Supplements Procedure		
Directorate	Resources and Transformation		
Service	HR Strategy and Planning Team		
Responsible Officer	Kat Lambert updated August 2019 by Tracey Edwards		
EqIA Author	Kat Lambert		
Proposal planning start	January 2018	Proposal start date (due or actual)	June 2018

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	No	N/A
	Procedure	Yes	Revision
	Internal service	No	N/A
	External Service	No	N/A
	Other - give details		
2	What are the intended outcomes, reasons for change? (The business case)		



The purpose of this procedure is to provide an additional tool for the recruitment and retention of staff in jobs where the council's pay is below the market rate, and/or where employee shortages in key posts impact the provision of council services.

Where a manager can demonstrate that the salary range attached to the grade for hard to fill or retain posts is significantly lower than those offered elsewhere and that this is having an adverse or potentially adverse impact on the ability to recruit and/or retain staff, a discretionary temporary market supplement may be paid in addition to the basic salary of a post or a group of posts.

This policy is a key element of our employment practices and it is vital that it meets the needs of the employees and managers who use it. To provide a policy which is free from any form of discrimination is a key aim of Human Resources (HR)

The policy has been updated and is in line with current legislation and good practice. The policy will be applicable to all employees and managers with the exclusion of those employees on teachers' pay & conditions and educational support staff.

**3 Who is the proposal potential likely to affect?**

People in Walsall	No	Detail
All	No	
Specific group/s	No	
Council employees	Yes	All corporate employees including Chief Officers
Other		

**4 Please provide service data relating to this proposal on your customer's protected characteristics.**

**4.1** As of 31 March 2017 the total number of Walsall Council employees (excluding Schools) were 3428. In total there were 131 (3.82%) employees who declared they had a disability, as defined by the Equality Act 2010, some of these may require communication in a different format.

The Councils workforce is made up of just over 69% females and 18.82% of employees from an minority ethnic group; the Council's Job Evaluation process ensures the council has a fair and equitable approach to pay which is free of discrimination, as the evaluation of each role is based on the merits and duties of the role alone, this is reflected within the procedure.

Additionally, the procedure reflects the requirements as outlined in the JNC's Technical Note No. 15 : Market Supplements, as regards the evidence required to warrant a payment of a market supplement.

Type	Date
Audience	

<b>Protected characteristics</b>	
<b>Feedback</b>	
N/A	

<b>Type</b>		<b>Date</b>	
<b>Audience</b>			
<b>Protected characteristics</b>			
<b>Feedback</b>			
N/A			

**4.2 Concise summary of evidence, engagement and consultation (including from area partnerships, where relevant)**

Consultation took place with senior managers within the Council, the consultation was undertaken at stages to establish any barriers or concerns the procedure may have caused that would benefit from a review.

8 March – 29 March 2018 – consultation on the draft Market Supplement procedure

31 May 2018 – CMT approval before presenting the Pay Policy Statement to Personnel Committee on July 2018.

Consultation feedback is detailed in appendix 3 of the Personnel Committee Report.

**5 How may the proposal affect each protected characteristic or group? The effect may be positive, negative or neutral.**

<b>Characteristic</b>	<b>Effect</b>	<b>Reason</b>	<b>Action needed Y or N</b>
Age	<b>neutral</b>	The policy sets out the approach to the payment of market supplements, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
Disability	neutral	Potential impact on employees who require reasonable adjustments for communication and for those who do not understand the policy e.g. employees with learning disabilities.	No

	Gender reassignment	<b>neutral</b>	The policy sets out the approach to pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
	Marriage and civil partnership	<b>neutral</b>	The policy sets out the approach to pay, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
	Pregnancy and maternity	neutral	Potential impact for people who are on maternity or paternity leave and are not updated about the policy.	No
	Race	neutral	Potential impact on those employees whose first language is not English as they may not understand the policy. The Council are aware of their obligations under part 7 of the Immigration Act 2016 which creates a duty to ensure that all public authority staff in customer facing roles speak fluent English (or Welsh in Wales) to an appropriate standard to perform their role effectively.	No
	Religion or belief	<b>neutral</b>	The policy sets out the approach to the payment of market supplements, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
	Sex	<b>neutral</b>	The policy sets out the approach to the payment of market supplements, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
	Sexual orientation	<b>neutral</b>	The policy sets out the approach to the payment of market supplements, therefore it sets out clear guidelines to reduce the risk of discrimination.	No
	Other (give detail)			
	Further information			
<b>6</b>	<b>Does your proposal link with other proposals to have a cumulative</b>			(Delete one)

	<b>effect on particular equality groups? If yes, give details below.</b>	<b>Yes/ No</b>
<b>7</b>	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>	
	<b>A</b>	No major change required
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>
	<b>C</b>	Continue despite possible adverse impact
	<b>D</b>	Stop and rethink your proposal

**Action and monitoring plan**

Action Date	Action	Responsibility	Outcome Date	Outcome
36 months after launch date	Review and publish this policy as appropriate.	Strategy and Planning Team		Ensure compliance with statutory requirements
Day of launch	To ensure employee who are on maternity leave to be made aware of the updated Market Supplements procedure.	Employees Line Manager	As and when required	
Day Of launch	The policy will be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the councils Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be made available on request.	Appropriate liaison as required with the councils Pearl Linguistics Service	As and when requested	

**Update to EqIA**

Date	Detail
August 2019	The following have been amended: 1. It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council’s vision, values and behaviours. As part of the review the five policies

	<p>have been re-formatted and redesigned to reflect the following principles;</p> <ul style="list-style-type: none"><li>• Alignment with Walsall Proud Programme and vision;</li><li>• Clear identification of accountabilities in line with behaviours;</li><li>• Clear, consistent and concise policy containing easily identifiable principles and procedure;</li><li>• Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.</li></ul>
Review	36 Months review by HR



### Equality Impact Assessment (EqIA) for Policies, Procedures and Services

Proposal name	Performance & Ill Health Capability Procedure		
Directorate	Resource and Transformation		
Service	HR Strategy and Planning Team		
Responsible Officer	Rebecca Lloyd/ Tracey Edwards		
EqIA Author	Rebecca Lloyd/Tracey Edwards		
Proposal planning start	October 2016	Proposal start date (due or actual)	April 2018

1	What is the purpose of the proposal?	Yes / No	New / revision
	Policy	No	N/A
	Procedure	Yes	revision
	Internal service	No	N/A
	External Service	No	N/A
	Other - give details		
2	What are the intended outcomes, reasons for change? (The business case)		



The purpose of the Performance & Ill Health Capability Procedure is to provide a framework within which managers can support and encourage employees to achieve and maintain satisfactory performance standards and take appropriate action where this is not achieved.

The Council's Performance Procedure was last updated in 2009 and there is currently no Capability Procedure, this review and development of this procedure ensure that it is fit for purpose, meets current legislation, demonstrates best practice and importantly free from any form of discrimination.

The Performance & Ill Health Capability Procedure is a key element of the Council's employment practices and it is vital that it meets the needs of managers, employees and the general public to ensure that unsatisfactory performance is managed in a fair and consistent manner.

The procedure still has the same amount of stages as the current Performance Procedure, namely:

- informal stage
- stage 1 (Formal Improvement Notice)
- stage 2 (Final Improvement Notice)
- stage 3 (Consideration of dismissal).

The current procedure gives no timescales, the key changes in the revised procedure are:

- Timescales for monitoring (minimum 4 weeks)
- At least two reviews during the monitoring period (i.e. at least one in the middle and one at the end)

- Timescales for the warnings remaining live:
  - stage 1 decision live for 6 months
  - stage 2 (and stage 3 if not dismissed) decision live for 12 months
  - confirming that if improvement in performance is not sustained whilst a warning is 'live' the manager can return back to the stage previously at.
- Removal of link to Employee Performance Appraisals (as the EPA procedure is different to the previous EPA procedure)
- Removal of reference to probation (as unsatisfactory performance during probation should be dealt with under the probation process)
- Removal of the appeal details, instead referencing the Appeals Procedure (for consistency with other revised procedures)
- Inclusion of an ill health capability process for managing poor performance due to persistent or permanent health issues which are not impacting on attendance
- A template Performance Improvement Plan to assist managers has also been included.

<b>3</b>	<b>Who is the proposal potential likely to affect?</b>		
	<b>People in Walsall</b>	<b>Yes / No</b>	<b>Detail</b>
	All	<b>No</b>	
	Specific group/s	<b>No</b>	
	Council employees	<b>Yes</b>	All corporate employees (excluding those on JNC Chief Executives and JNC Chief

			Officers terms and conditions, and those employees in their probationary period).
	Other		
<b>4</b>	<b>Evidence, engagement and consultation (including from area partnerships, where relevant)</b>		
<b>4.1</b>	The Performance & Ill Health Capability Procedure will be submitted to CMT on 29 March 2018 and Personnel Committee on 28 April 2018.		
	<b>Type</b>		<b>Date</b>
	<b>Audience</b>		
	<b>Protected characteristics</b>		
	<b>Feedback</b>		
	N/A		
	<b>Type</b>		<b>Date</b>
	<b>Audience</b>		
	<b>Protected characteristics</b>		
	<b>Feedback</b>		
	N/A		
<b>4.2</b>	<b>Concise summary of evidence, engagement and consultation (including from area partnerships, where relevant)</b>		
	A first draft of the revised Performance & Ill Health Capability Procedure was consulted on with:		
	09/12/16 – 19/12/16	HR Management team - the procedure was then put on hold whilst the Corporate Workforce Strategy was developed.	
	25/05/17 – 17/05/17	CMT for comment in principal in relation to the Workforce Strategy.	
	16/06/17 – 14/07/17	ADs/Heads of Service and the Trade Unions, Professional Associations between.	
	The trade unions comments mainly related to:		
	<ul style="list-style-type: none"> <li>• Allowing trade union representation at the review meetings</li> <li>• The involvement of Occupational Health and other medical advice. However, Occupational Health only give advice and recommendations to managers, they are not the decision makers.</li> <li>• Timescales being 4 weeks minimum (not normally 4 weeks)</li> </ul>		
	That performance improvement plans and targets should be agreed with the		

employee. Have inserted seek to agree as ultimately the manager has to take a decision if no agreement is reached.

28/02/2018-13/03/2018 Further consultation with ADs/Heads of Service and the Trade Unions, Professional Associations

Main comments received on the second draft:

Where an employee is absent from work for periods of time can the process is paused including improvement notices?

The procedure has been updated to allow discretion to pause the process of the improvement notice, this will allow the employee to receive support where required.

27/03/2018 The Performance & Ill Health Capability Procedure will be submitted to CMT

18/04/2018 The Performance & Ill Health Capability Procedure will be submitted to Personnel Committee ( ) for sign off the procedure could result in termination of employment.

As of 31 March 2017 the total number of Walsall Council employees (excluding Schools) were 3428. In total there were 131 (3.82%) employees who declared they had a disability, as defined by the Equality Act 2010, some of these may require communication in a different format.

From casework information held by the HR Operations Team:  
During 2016/17 6 employees entered the Performance Procedure, compared to 6 the previous year (2015/16), and 3 in (2014/15).

Of the 15 employees recorded as entering the procedure:

- 8 were female and 7 male
- 11 were white and 4 minority ethnic
- 4 considered themselves as disabled
- 7 were in the age range 36-45 years old, 5 were in the age range 46-55, and 3 were in the range 56 years and older.

Of the 15, 8 were determined within the informal stages, 1 resigned, 3 requested voluntary redundancy which was granted, 2 are ongoing, 1 improved to come out of the procedure.

5

**How may the proposal affect each protected characteristic or group?  
The effect may be positive, negative or neutral.**

Characteristic	Effect	Reason	Action needed Y or N
Age	neutral	No impact foreseen	No
Disability		Potential impact on employees who require reasonable adjustments for communication	Yes

			and for those who do not understand the policy e.g. employees with learning disabilities.	
	Gender reassignment		No impact foreseen.	No
	Marriage and civil partnership		No impact foreseen.	No
	Pregnancy and maternity		Potential impact for people who are on maternity or paternity leave and are not updated about the policy.	Yes
	Race		Potential impact on those employees whose first language is not English as they may not understand the policy.	Yes
	Religion or belief		No impact foreseen.	No
	Sex		No impact foreseen.	No
	Sexual orientation		No impact foreseen.	No
	Other (give detail)			
	Further information			
<b>6</b>	<b>Does your proposal link with other proposals to have a cumulative effect on particular equality groups? If yes, give details below.</b>			(Delete one) <b>No</b>
<b>7</b>	<b>Which justifiable action does the evidence, engagement and consultation suggest you take? (Bold which one applies)</b>			
	A	No major change required		
	<b>B</b>	<b>Adjustments needed to remove barriers or to better promote equality</b>		
	C	Continue despite possible adverse impact		
	D	Stop and rethink your proposal		

<b>Action and monitoring plan</b>				
<b>Action Date</b>	<b>Action</b>	<b>Responsibility</b>	<b>Outcome Date</b>	<b>Outcome</b>
Day of launch	To ensure employees understand the requirements of the policy and support them to achieve the desired outcome.	Employees line manager should make themselves available to explain the policy to ensure understanding and offer support to allow individuals to achieve the requirements	As and when required	
Day of launch	To ensure employee who are on maternity/parental leave are made aware of the updated procedure.	Employees Line Manager	As and when required	
Day Of launch	The procedure will be explained/made available in other languages on request for employees whose first language is not English.	Appropriate liaison as required with the councils Interpretation, Translation, Transcription and Easy Read service (ITTE)	As and when requested	
Day of launch	Alternative formats (audio and Easy Read) for disabled employees of the new policy will be made available on request.	Appropriate liaison as required with the councils Pearl Linguistics Service	As and when requested	

<b>Update to EqIA</b>	
<b>Date</b>	<b>Detail</b>
08/08/2019	It has been agreed that the current suite of HR policies and procedures will be reviewed across the board to align with the Walsall Proud Programme and the council's vision, values and behaviours. As part of the review the five policies have

	<p>been re-formatted and redesigned to reflect the following principles;</p> <ul style="list-style-type: none"><li>• Alignment with Walsall Proud Programme and vision;</li><li>• Clear identification of accountabilities in line with behaviours;</li><li>• Clear, consistent and concise policy containing easily identifiable principles and procedure;</li><li>• Streamlined detail in the policy document with more in-depth guidance provided in the supporting documents.</li></ul> <p>In addition, minor wording amendments have been inserted into the policies. There has been no fundamental change to their content.</p>